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Notice of Allowability

Application No.

10/082,534

Applicant(s)

STIRBU, VLAD ALEXANDRU

Examiner

Virgil Herring

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Request for Continued Examination filed 11 June 2007.
2. ☒ The allowed claim(s) is/are 1-10 and 12-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

This action is responsive to the Request for Continued Examination filed 11 June 2007. Claim 11 is cancelled by this amendment. Claim 18 is new. Claims 1-10 and 12-18 are currently pending.

Response to Arguments

Applicant's arguments, see pages 8-10, filed 11 June 2007, with respect to the rejection of claims 10 and 12 under 35 USC §101 and 112 have been fully considered and are persuasive, as discussed in the telephone interview of 6 June 2007. The rejection of claims 10 and 12 has been withdrawn.

Allowable Subject Matter

Claims 1-10 and 12-18 are allowed. The following is an examiner's statement of reasons for allowance:

With regards to the combination of 3GPP TS 33.203 and 22.228 as described in the prior office action, these references only disclose the communication of capabilities, not the transmission of a list of subscribed multimedia network services.

With regards to application # 09/731,758, a 3GPP based system, including such things as the home subscriber service and serving call session control function is

disclosed. However, Faccin et al do not include inserting a list of services to which the user equipment terminal is subscribed into any messages.

With regards to Patent # 6,871,070, a 3GPP system, including the multimedia network, home subscriber service, user equipment terminal, etc. is disclosed. However, Ejzak does not disclose inserting a list of multimedia network services to which the user equipment terminal is subscribed into any of the messages. Instead, he focuses on the mechanics of providing communications while traveling between different types of home and serving systems.

With regards to Patent # 9,954,654, a 3GPP system, including the multimedia network, home subscriber service, user equipment terminal, etc. is disclosed. However, Ejzak's focus here is a communication system in which the features and services can be used by both packet-switched and circuit-switched user equipment terminals. Although Ejzak does discuss the serving call session control function providing features and services to the user equipment terminal, there is not a list of subscribed services being communicated.

The prior art made of record and not specifically discussed above is considered pertinent to applicant's disclosure in that it deals with similar subject matter. The prior art discussed above is the most closely related to the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Virgil Herring whose telephone number is (571) 272-8189. The examiner can normally be reached on Monday-Friday.

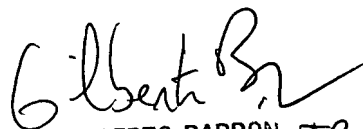
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Virgil Herring V H
Examiner
Art Unit 2132

VH


GILBERTO BARRON JR
SUPERVISORY PATENT EXAMINER
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